

**BEFORE THE WASHINGTON
UTILITIES AND TRANSPORTATION COMMISSION**

In the Matter of the Petition of

WASHINGTON EASTERN
RAILROAD, LLC,

Petitioner,

Seeking Approval to Modify Active
Warning Devices at a Highway-Rail
Grade Crossing and Requesting
Disbursement from the Grade Crossing
Protective Fund

DOCKET TR-220654

ORDER 02

GRANTING AMENDMENT TO
PETITION TO MODIFY ACTIVE
WARNING DEVICES AT A PUBLIC
HIGHWAY-RAIL GRADE CROSSING
AT CHENEY SPOKANE ROAD AND
AUTHORIZING EXPENDITURE
FROM THE GRADE CROSSING
PROTECTIVE FUND

USDOT: 066316U

BACKGROUND

- 1 On August 31, 2022, the Washington Eastern Railroad, LLC, (Washington Eastern or Petitioner), filed with the Washington Utilities and Transportation Commission (Commission) a petition (Petition) seeking approval to modify active warning devices at a highway-rail grade crossing located at Cheney Spokane Road in Cheney, identified as USDOT 066316U. The Petitioner further requested the Commission authorize an expenditure of \$20,000 from the Grade Crossing Protective Fund (GCPF) to partially pay for the modifications, which included upgrading train detection at the crossing with installation of an Alstom PMD-4 crossing controller.
- 2 On October 27, 2022, the Commission issued Order 01 in this Docket approving the request for disbursement from the GCPF (Order 01).
- 3 On January 23, 2023, Washington Eastern submitted an email requesting to amend its Petition (Amended Petition), seeking approval to substitute a Siemens MS4000 crossing controller for the Alstom PMD-4 controller specified in its original Petition and in Order 01. This request is the result of delays in obtaining PMD-4 controllers due to supply-chain issues and will not change the amount of GCPF funds requested or the scope of the project.
- 4 Staff recommends that the Commission approve the Petitioner's Amended Petition. According to the Petitioner, the Siemens MS4000 crossing controller is similar in function to the Alstom PMD-4 and will not result in additional costs.

DISCUSSION

5 RCW 81.53.261 requires that the Commission grant approval prior to modifying a public railroad-highway grade crossing within the state of Washington. RCW 81.53.271 authorizes the Commission to disburse funds from the GCPF to pay for improvements to highway-rail grade crossings. We find that the proposed modifications will improve overall safety for roadway users, and that substitution of a Siemens MS4000 crossing controller for the Alstom PMD-4 specified in Order 01 is appropriate.

FINDINGS AND CONCLUSIONS

6 (1) After reviewing the Amended Petition filed by Washington Eastern on January 23, 2023, and giving due consideration to all relevant matters and for good cause shown, the Commission grants the request for substitution of the crossing controller hardware. All other conditions of Order 01 remain in effect.

ORDER

THE COMMISSION ORDERS:

- 7 (1) Washington Eastern Railroad, LLC's Amended Petition to upgrade warning devices at the highway-rail grade crossing located at Cheney Spokane Road in Cheney is granted. All other conditions of Order 01 remain in effect.
- 8 (2) The Secretary of the Commission has delegated authority over this matter pursuant to Order 01 in Docket A-180762. The Secretary finds this Order to be consistent with the public interest.

DATED at Lacey, Washington, and effective February 10, 2023.

WASHINGTON UTILITIES AND TRANSPORTATION COMMISSION

AMANDA MAXWELL,
Executive Director and Secretary

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NOTICE TO PARTIES: This is an order delegated to the Executive Secretary for decision. As authorized in WAC 480-07-904, you must file any request for Commission review of this order no later than 14 days after the date the decision is posted on the Commission's website.